

Attorney Docket No.: **PENN-0832**
Inventors: **Muzykantov et al.**
Serial No.: **10/611,723**
Filing Date: **July 1, 2003**
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REMARKS

Claims 1 through 6 are pending in the instant application. Claims 1 through 6 have been subjected to a Restriction Requirement as follows:

Group I, claims 1-3 and 5, drawn to compositions comprising a conjugate of a therapeutic agents and a carrier, classified in class 436, subclass 519;

Group II, claim 4, drawn to a method for selectively dissolving nascent intravascular blood clots in a subject while sparing pre-existing hemostatic clots in the subject, classified in class 514, subclass 02; and

Group III, claim 6, drawn to a method for preventing formation of nascent intravascular blood clots, classified in class 514, subclass 02.

The Examiner has acknowledged Groups I and II, III to be related as product and process of use. However, the Examiner suggests that the Groups are distinct because the methods can be practiced with a broad variety of drugs beyond the claimed conjugate, and the product of Group I can be used in other methods, such as producing antibodies. With respect to Groups II and III, the Examiner suggests that the methods are patentably distinct because of their different modes of operation and different functions and require different enablement consideration. Further, the

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Examiner suggests that restriction is proper because the Groups have acquired a separate status in the art.

Applicants respectfully traverse this Restriction Requirement.

MPEP S803 provides two criteria which must be met for a restriction requirement to be proper. The first is that the inventions be independent or distinct. The second is that there would be a serious burden on the Examiner if the restriction is not required.

It is respectfully pointed out that, at least with respect to Groups II and III, contrary to the Examiner's suggestion, these Groups have not acquired separate status in the art, but rather are both classified in class 514, subclass 02. Clearly no serious search burden would be placed upon the Examiner if restriction between these two groups were not made. Further, with respect to Group I, any search of these compounds would also reveal art relating to their use as set forth in Groups II and III. Thus, no serious burden would be placed on the Examiner by including all pending claims in the instant application.

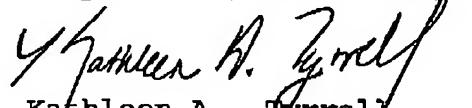
Accordingly, since this Restriction Requirement does not meet both criteria as set forth in MPEP S 803 to be proper, it is respectfully requested that this Restriction Requirement be withdrawn.

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However, in an earnest effort to be completely responsive, Applicants elect Group II, claim 4, with traverse.

Applicants believe this reply to be completely responsive to the Office Action of record.

Respectfully submitted,



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